

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CARMELLA M. RESTIVO GUARDADO,

Plaintiff,

-against-

ORDER ADOPTING REPORT &
RECOMMENDATION
04-CV-3309 (JS) (AKT)

PRECISION FINANCIAL, INC. and
TABITHA MAZZARA, in her official
and individual capacity,

Defendants.

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APPEARANCES:

For Plaintiff:

Scott Michael Mishkin, Esq.
Scott Michael Mishkin, P.C.
One Suffolk Square, Suite 240
Islandia, NY 11749

For Defendants:

Michael M. Freeman, Esq.
Hymowitz & Freeman
404 Park Avenue South
New York, NY 10016

SEYBERT, District Judge:

Upon review of the Report and Recommendation ("Report") of Magistrate Judge A. Kathleen Tomlinson issued March 9, 2008, to which no party has objected, the Court hereby ADOPTS the Report in its entirety.

Magistrate Judge Tomlinson's Report and Recommendation provided that any objections were to be filed with the Clerk of the Court within ten days of the date of the Report. The time for filing objections has expired and no Party has objected. Accordingly, all objections are hereby deemed to have been waived.

The Court ADOPTS the Report and Recommendation in its

entirety and ORDERS that Plaintiff's fee application and request to tax costs are GRANTED to the extent set forth in the Report. Specifically, Plaintiff is awarded \$19,765.00 in attorneys' fees and \$2,157.30 in costs.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
 March 25, 2008